

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARVIN DAVIS, *et al.*,

Plaintiffs,

v.

KING COUNTY, *et al.*

Defendant.

CASE NO. C02-2440RSM

ORDER OF DISMISSAL

This matter comes before the Court on defendant King County's and the City of Burien's Motion for Summary Judgment. (Dkt. #104). Defendants argue that they cannot be liable for any of plaintiffs' federal and state law claims, because plaintiffs lack any evidence that a municipal policy or custom proximately caused the harm they allege, or that the municipal defendants were negligent. Although plaintiffs attempted to oppose the motion through a motion pursuant to Rule 56(f) of the Federal Rules of Civil Procedure, the Court declined to allow that motion. Plaintiffs failed to otherwise respond, and the Court declined to grant plaintiffs an extension of time in which to file any response. Therefore, the motion is deemed unopposed.

Accordingly, having reviewed defendants' Motion for Summary Judgment, and the remainder of the record, the Court does hereby find and ORDER:

ORDER  
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1 (1) Defendants' Motion for Summary Judgment (Dkt. #104) is GRANTED, and  
2 plaintiffs' claims against King County and the City of Burien are DISMISSED.

3 (2) Defendants King County and the City of Burien are hereby DISMISSED from this  
4 case.

5 (3) The Clerk is directed to forward a copy of this Order to all counsel of record.

6 DATED this 20th day of October, 2005.

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9 RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE